

106TH CONGRESS
1ST SESSION

S. 853

To assist local educational agencies to help all students achieve State achievement standards, to end the practice of social promotion, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 21, 1999

Mrs. FEINSTEIN introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To assist local educational agencies to help all students achieve State achievement standards, to end the practice of social promotion, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Student Achievement
5 Act of 1999”.

6 **SEC. 2. REMEDIAL EDUCATION.**

7 (a) GRANTS AUTHORIZED.—The Secretary is author-
8 ized to award grants to high need, low-performing local
9 educational agencies to enable the local educational agen-

1 cies to carry out remedial education programs that enable
 2 kindergarten through grade 12 students who are failing
 3 or are at risk of failing to meet State achievement stand-
 4 ards in the core academic curriculum.

5 (b) USE OF FUNDS.—Grant funds awarded under
 6 this section may be used to provide prevention and inter-
 7 vention services and academic instruction, that enable the
 8 students described in subsection (a) to meet State achieve-
 9 ment standards in the core academic curriculum, such
 10 as—

11 (1) implementing early intervention strategies
 12 that identify and support those students who need
 13 additional help or alternative instructional strategies;

14 (2) strengthening instruction and learning by
 15 hiring certified teachers to reduce class sizes, pro-
 16 viding high quality professional development, and
 17 using proven instructional practices and curriculum
 18 aligned to State achievement standards;

19 (3) providing extended learning time, such as
 20 before school, after school, and summer school; and

21 (4) developing intensive instructional interven-
 22 tion strategies for students who fail to meet the
 23 State achievement standards.

24 (c) APPLICATIONS.—Each local educational agency
 25 desiring to receive a grant under this section shall submit

1 an application to the Secretary. Each application shall
2 contain—

3 (1) an assurance that the grant funds will be
4 used in accordance with subsection (b); and

5 (2) a detailed description of how the local edu-
6 cational agency will use the grant funds to help stu-
7 dents meet State achievement standards in the core
8 academic curriculum by providing prevention and
9 intervention services and academic instruction to
10 students who are most at risk of failing to meet the
11 State achievement standards.

12 (d) CONDITIONS FOR RECEIVING FUNDS.—A local
13 educational agency shall be eligible to receive a grant
14 under this section if the local educational agency or the
15 State educational agency—

16 (1) adopts a policy prohibiting the practice of
17 social promotion;

18 (2) adopts a policy requiring that all kinder-
19 garten through grade 12 students be subject to
20 State achievement standards in the core academic
21 curriculum at key transition points (to be deter-
22 mined by the State), such as 4th, 8th, and 12th
23 grades, before promotion to the next grade level;

24 (3) uses tests and other indicators, such as
25 grades and teacher evaluations, to assess student

1 performance in meeting the State achievement
 2 standards at key transition points (to be determined
 3 by the State), which tests shall be valid for the pur-
 4 pose of such assessment;

5 (4) provides remedial education to all students
 6 not meeting the State achievement standards; and

7 (5) has substantial numbers of students who
 8 are low-performing students.

9 (e) DEFINITIONS.—In this section:

10 (1) CORE ACADEMIC CURRICULUM.—The term
 11 “core academic curriculum” means curriculum in
 12 subjects such as reading and writing, language arts,
 13 mathematics, social sciences (including history), and
 14 science.

15 (2) LOCAL EDUCATIONAL AGENCY.—The term
 16 “local educational agency” has the meaning given
 17 the term in section 14101 of the Elementary and
 18 Secondary Education Act of 1965 (20 U.S.C. 8801).

19 (3) PRACTICE OF SOCIAL PROMOTION.—The
 20 term “practice of social promotion” means a formal
 21 or informal practice of promoting a student from the
 22 grade for which the determination is made to the
 23 next grade when the student fails to meet the State
 24 achievement standards in the core academic cur-
 25 riculum, unless the practice is consistent with the

1 student's individualized education program under
2 section 614(d) of the Individuals with Disabilities
3 Education Act (20 U.S.C. 1414(d).

4 (4) SECRETARY.—The term “Secretary” means
5 the Secretary of Education.

6 (f) AUTHORIZATION OF APPROPRIATIONS.—There
7 are authorized to be appropriated to carry out this section
8 \$500,000,000 for each of the fiscal years 2000 through
9 2004.

○